

REMARKS

At the outset, applicants wish to thank the Examiner for reviewing and considering the pending application. The Office Action dated April 4, 2007 has been received and reviewed.

Claims 1-16 are pending in this application. By this amendment, claims 1-8, 10-11 and 13-15 have been amended. Reconsideration and reexamination are respectfully requested.

The Office Action rejects claims 1-5 under 35 U.S.C. §101 as being directed to non-statutory matter. Claims 1-5 have been amended to overcome the rejection. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §101 be withdrawn.

The Office Action objects to claims 1 and 4 based on minor informalities. Claims 1 and 4 have been amended to obviate the objection.

The Office Action rejects claims 6-16 under 35 U.S.C. §112, second paragraph, as being infinite. Claims 6 and 13 have been amended to obviate the rejection. Accordingly, withdrawal of the rejection under 35 U.S.C. §112, second paragraph, is respectfully requested.

The Office Action rejects claims 1-16 under 35 U.S.C. §102(b) as being anticipated by the "Program and System Information Protocol for Terrestrial Broadcast and Cable" (hereinafter ATSC A/65) published on December 23, 1997 by the ATSC. Applicants respectfully traverse the rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim.

Claim 1 recites, among others, "a version number for a presently transmitted event information table...that is different from a version number for a previously transmitted event information table...a second identifier for the presently transmitted event information table, the

second identifier being distinct from the version number of the presently transmitted event information table and having one of two values, wherein the second identifier having a first value...indicates that contents of an event information table...are shifted and the second identifier having a second value...indicates...that contents of an event information table...are changed.” Claims 6 and 13 recite similar features.

On page 5, the Office Action associates a present event information table with EIT-3 (i.e., EIT-2 updated version number of 3) and a previously transmitted event information table with EIT-2. It appears that the Office Action is alleging that because the second identifier has not been distinctly claimed, the Office Action is going to associate the second identifier with EIT-5.

In response, the second identifier has been distinctly claimed, specifically, the claim recites a second identifier for the presently transmitted event information table. EIT-5 can no longer be associated with the second identifier because EIT-5 is a number for an event information table that is separate from the present event information table, which in this case is EIT-3.

Moreover, EIT-5 (i.e., second identifier) does not have one of two values, wherein the second identifier having a first value...indicates that contents of an event information table...are shifted and the second identifier having a second value...indicates...that contents of an event information table...are changed, as required in claim 1. In other words, ATSC A/65 is silent as to whether the EIT-5 changes value because the contents of event information table represented by EIT-5 changes or shifts in time.

Thus, the Office Action’s assertion does not meet each and every feature of the claim. Likewise claims 6 and 13 are also allowable for reasons as discussed with respect to claim 1.


Claims 2-5, 7-12, and 14-16 are at least allowable by virtue of their dependency on the respective independent claims.

This application is in condition for allowance. Notice of same is earnestly solicited. Should the Examiner find the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, including any fees under 37 C.F.R. §§1.16 and/or 1.17, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: **June 29, 2007**

Respectfully submitted,

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